

Remarks

Claims 26-50 are now pending in this application. Applicants have amended claims 26, 33, and 40 to clarify the claimed invention. Applicants respectfully request favorable reconsideration of this application.

Applicants have amended claims 26, 33 and 40 to clarify that the claimed invention does not include a protective layer on top of the grid structure. As defined in claims 26, 33, and 40, the grid structure is formed **on** the substrate. The grid structure is referred to throughout the specification as "diffraction grid", "surface grid", and "grid structure formed on a substrate". The grid height refers to the height of the patterned portion, not to the combined height of the substrate and relief pattern. This illustrates how the "grid" includes the relief pattern and not the underlying part of the substrate.

The specification clearly describes that the protective layer on the grid is optional. Along these lines, page 8, lines 15-21, states, "In a preferred embodiment of the invention the grid structure is preferably formed as a surface grid structure on the substrate, and the manufacture takes place preferably by means of embossing. The invention is not, however, restricted solely to pure surface grid structures, but the grid structure according to the invention can also be protected with a suitable protective layer, such as a structure protected with a lacquer layer, for example." Additionally, page 22, lines 17-20, states, "Furthermore, it is possible that the grid structure according to the invention is protected by means of a transparent protective layer formed **on top of the same** to protect the grid structure from fouling and wearing. Suitable

protection methods include for example varnishing or a corresponding action" (emphasis added). In other words, this passage discloses that the top of the grid structure may need protection from fouling and wearing.

Therefore, the grid structure need not be protected with a protective layer. Since the "grid" does not include the lower surface of the substrate, it is apparent that the protective layer is on the relief pattern and not on the surface of the substrate opposite the surface on which the relief pattern is formed. Clearly, in view of the present specification, the protective layer is optional.

The Examiner rejected claims 26-50 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 5,142,384 to Woods et al. in view of U.S. patent 5,223,357 to Lovison.

The combination of Woods et al. and Lovison does not suggest the invention recited in claims 26-50 since, among other things, the combination of Woods et al. and Lovison does not suggest an embossed structure on the surface of a substrate without a protective layer. Rather, Woods et al. suggests a film sheet that includes a Lippmann-Bragg reflection hologram. Lippmann-Bragg holograms are volume holograms. In volume holograms, a holographic effect is created by periodic structures that are inside a film sheet. Therefore, Woods et al. does not suggest an embossed grid structure.

Similarly, Lovison suggests display signage that includes a flat transparent substrate and a textured holographic film behind the substrate, as described at col. 2, lines 48-66, and as shown

in Fig. 2. Therefore, Lovison also does not suggest the use of an embossed grid structure without a protective layer. Thus, leaving an embossed holographic film without a protective layer is non-obvious, and against the teaching of Lovison.

Since neither Lovison nor Woods et al. suggests the use of an embossed structure on the surface of a substrate without a protective layer, the combination does not suggest the claimed invention. Accordingly, the invention recited in claims 26-50 is not obvious in view of the combination of Woods et al. and Lovison. By including an embossed grid structure without a protective layer, the invention recited in claims 26-50 makes possible the mass-production of disposable packages including the embossed structures at very low manufacturing costs.

In view of the above, the references relied upon in the office action, whether considered alone or in combination, do not suggest patentable features of the claimed invention. Therefore, the reference relied upon in the office action, whether considered alone or in combination, do not make the claimed invention obvious. Accordingly, Applicants submit that the claimed invention is patentable over the cited references and respectfully request withdrawal of the rejections based on the cited references.

If an interview would advance the prosecution of this application, Applicants respectfully urge the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit

overpayment associated with this communication to Deposit Account No. 22-0261.

Respectfully submitted,

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